

JUN 24 2005

MARY L.M. MORAN
CLERK OF COURT

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DISTRICT COURT OF GUAM
TERRITORY OF GUAM

UNITED STATES OF AMERICA,
Plaintiff,

Criminal Case No. 05-00053

vs.

ORDER

CHRISTOPHER M. ESPINOSA,
ERIC M. APONIK, JOHN V. CRUZ
and JARETT J. ELM,
Defendants.

IT IS HEREBY ORDERED that the trial in this matter is set for **August 8, 2005** at 9:30 a.m. Pretrial motions shall be filed no later than July 18, 2005 and heard on August 1, 2005 at 10:00 a.m.

IT IS FURTHER ORDERED that the following be filed or lodged with this Court no later than August 1, 2005 (seven calendar days prior to trial):

- 1) Proposed jury voir dire questions;
- 2) An original and one copy of the exhibit list - (Government's exhibits numbered; Defendant's exhibits lettered);
- 3) Three complete sets of marked and tabbed exhibits in three-ring binders. A copy of the Exhibit List shall be included in each three-ring binder. The parties shall meet and confer sufficiently in advance of trial and formulate a set of joint exhibits, if possible, to eliminate duplicate exhibits. Those exhibits upon which agreement cannot be reached shall be submitted separately by each respective party;

- 1 4) Any documents to be used in the examination of
2 witnesses, but not to be introduced into evidence, such
3 as police reports, investigative reports or witness
4 statements - (one copy must be lodged with the Court);
5
6 5) Proposed verdict forms;
7
8 6) An original and one copy of witness lists for purposes of
9 voir dire only - (Witness lists shall include: legal
10 names, aliases, nicknames, place of residence and place
11 of employment); and
12
13 7) Proposed jury instructions - (Those jury instructions
14 upon which an agreement cannot be reached shall be
15 submitted in a separate packet, together with the
16 objections and authority therefor of each party).

17 IT IS FURTHER ORDERED THAT:

- 18 1) If additional witnesses are to be called or additional
19 exhibits are to be submitted, an original and one copy of
20 a supplemental witness list or a supplemental exhibit list
21 must be filed with the Court. Additionally, three copies
22 of pre-marked supplemental exhibits must be lodged
23 with the Court prior to their use at trial. The three
24 copies of the pre-marked exhibits must have three holes
25 punched on the left-hand side so that they can be easily
26 inserted in the three-ring exhibit binders previously
27 submitted by the parties.
28
2) If during the course of the trial, additional documents
will be used in the examination of witnesses, but not
introduced into evidence, one copy of each document
shall be lodged with the Court prior to its use at trial.

Date: June 24, 2005


JOAQUIN V.E. MANIBUSAN, JR., Magistrate Judge